

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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 COMMODITY FUTURES TRADING :  
 COMMISSION, :  
 Plaintiff, : 22-CV-3822 (VEC)  
 :  
 :  
 -against- : ORDER  
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 :  
 EDDY ALEXANDRE, EMINIFX, INC., :  
 :  
 Defendants. :  
 X  
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VALERIE CAPRONI, United States District Judge:

WHEREAS on November 25, 2024, Mr. Alexandre filed a letter in which he stated that he wishes “to withdraw [his] counterclaims and crossclaim against the receiver.” Dkt. 423 at 1; *see also id.* at 2 (“I respectfully request to withdraw the counterclaim and crossclaim against the receiver at paragraphs #85-86 . . . and #87-89 . . .”).

IT IS HEREBY ORDERED that the Court STRIKES the claims against the Receiver at paragraphs 85–89 of Mr. Alexandre’s Answer (Dkt. 377).

IT IS FURTHER ORDERED that the Receiver’s Motion for Entry of an Order Dismissing Alexandre’s Claims with Prejudice and Striking Any Affirmative Defense is DENIED IN PART AS MOOT, to the extent it seeks to dismiss Mr. Alexandre’s now-withdrawn claims. The Court will address separately the portions of the motion seeking to dismiss or strike Mr. Alexandre’s affirmative defenses.

**SO ORDERED.**

Date: December 2, 2024  
New York, NY

  
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VALERIE CAPRONI  
United States District Judge